

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. David Wayne White**

**Docket No. 4:12-CR-69-1H**

**Petition for Action on Supervised Release**

COMES NOW Kristyn Super, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of David Wayne White, who upon an earlier plea of guilty to Possession of a Firearm in Furtherance of a Drug Trafficking Offense and Aiding and Abetting, in violation of 18 U.S.C. §§ 924(c)(1)(A) and 2, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on August 14, 2013, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

David Wayne White was released from custody on August 17, 2015, at which time the term of supervised release commenced.

On January 20, 2017, a Violation Report was submitted to the court reporting that the defendant tested positive for marijuana. At that time, the probation officer recommended, and the court agreed, that supervision be permitted to continue, with the condition that White participate in substance abuse treatment.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On February 9, 2017, the defendant submitted to a urinalysis screening, which was confirmed as positive for marijuana by Alere Laboratory on February 14, 2017. The defendant admits to smoking marijuana. As a sanction for the violation conduct, it is respectfully recommended that the conditions of supervised release be modified to include successful completion of 24 hours of community service.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Robert L. Thornton

Supervising U.S. Probation Officer

/s/ Kristyn Super

U.S. Probation Officer

Jacksonville, NC

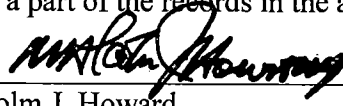
Phone: 910-346-5104

Executed On: March 10, 2017

David Wayne White  
Docket No. 4:12-CR-69-1H  
Petition For Action  
Page 2

ORDER OF THE COURT

Considered and ordered this 15<sup>th</sup> day of March, 2017, and ordered filed and made a part of the records in the above case.

  
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Malcolm J. Howard  
Senior U.S. District Judge